

EXHIBIT 4

Court of Appeal, Fourth Appellate District, Div. 1 - No. D049411
S149495

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re JOHN L. BATIE on Habeas Corpus

The petition for review is DENIED.

Moreno, J., is of the opinion the petition should be granted.

**SUPREME COURT
FILED**

MAR 21 2007

Frederick K. Ohlrich Clerk

DEPUTY

GEORGE

Chief Justice